

MINUTES OF THE SENATE PUBLIC HEALTH AND WELFARE.

The meeting was called to order by Chairperson Senator Susan Wagle at 1:30 p.m. on February 5, 2003 in Room 231-N of the Capitol.

All members were present except: Senator David Haley  
Senator Chris Steineger

Committee staff present: Ms. Emalene Correll, Legislative Research Department  
Mr. Norm Furse, Revisor of Statutes  
Ms. Margaret Cianciarulo, Administrative Assistant

Conferees appearing before the committee: Dr. Mike Moser, Director of Health, KDHE  
Mr. Norm Hess, Director of Program Services for the  
Greater Kansas Chapter of the March of Dimes  
Mr. Larry Edmunds, Epidemiologist, National Center for  
Birth Defects on Developmental Disabilities,  
Center for Disease Control (CDC)

Others attending: See attached guest list

### **Introduction of Bills**

Upon calling the meeting to order, Chairperson Wagle recognized Dr. Mike Moser, Director of Health, KDHE to introduce a proposed administration bill relating to the childhood lead poisoning prevention program. He stated under the proposed legislation that the sunset date of the Kansas law be extended to 2010 which is the national target goal for elimination of childhood lead poisoning. Also, that statutory authority be obtained to promulgate state rules relative to renovation of pre-1978 housing, case management of lead poisoned children, and lead safe work practices in commercial and industrial structures all in accordance with national guidelines. A copy of his proposed administration bill is (Attachment 1) attached hereto and incorporated into the Minutes by reference. Senator Salmans made a motion to hear the proposed legislation. Senator Brownlee seconded the motion and the motion carried.

The Chair then introduced three bill requests from Senator Emler that were requested from pharmacists in his area:

- 1.) A bill requiring that all health benefit plans apply the same coinsurance, copayment, and deductible factors to all drug prescriptions filled under the plan;
- 2.) Non resident pharmacies which violate the nonresident pharmacy law (63-1657) would be subject to penalties under the Kansas consumer protection act; and
- 3.) A bill which would require benefit prescription managers to be licensed. This would provide oversight of pharmacy benefit management companies.

A copy of the above is (Attachment 2) attached hereto and incorporated into the Minutes by reference.

A discussion ensued among the Committee clarifying that the above are controversial and for introduction only as Committee bills. The Chair indicated to the Committee that she did not commit to having a hearing on the proposed legislation. The Chair then made a motion to hear the proposed legislation. Senator Brungardt seconded the motion and the motion carried.

## CONTINUATION SHEET

### **Presentation on Birth Defect Registry**

The Chair then recognized Mr. Norm Hess, Director of Program Services for the Greater Kansas Chapter of the March of Dimes who stated he was here today to ask the Committee for their support of a bill that has already been introduced into the Committee, to authorize the establishment of a fully operational state birth defects information system. Highlights of Mr. Hess's presentation ranged from: providing statistics, March of Dimes mission, prevention, epidemiological research being a critical step in developing cost-effective strategies, to Kansas being one of seven states that does not provide a mechanism for systematic confirmation and follow-up. A copy of his presentation is (Attachment 3) attached hereto and incorporated into the Minutes by reference.

Mr. Hess then gave an overview of the Ohio law regarding birth defects information systems, that:

- 1.) Lists specific purposes;
- 2.) Minimizes duplication of reporting by hospitals, physicians, and birthing centers plus, establishes appropriate confidentiality measures which gives parents and guardians of children of birth defects, the option of having information withdrawn from the registry;
- 3.) Delineates membership of voluntary council to assist and advise the Department of Health in establishing an implementation of the system; and
- 4.) Includes a clause making implementation contingent upon appropriations or other funding sources.

The Chair then recognized Mr. Larry Edmonds, Epidemiologist at the National Center on Birth Defects in Developmental Disabilities, Center for Disease Control (CDC), who stated that their role in birth defects work on surveillance prevention and research. He then gave an overview of birth defects, public health importance, what is a good system, what the States are doing, and what CDC does to support the States. A copy of his slide presentation is (Attachment 4) attached hereto and incorporated into the Minutes by reference.

Written testimony was also provided by Ms. Jamey Kieffer, Director, Children with Special Health Care Needs Program, Kansas Department of Health and Environment. A copy of her testimony is (Attachment 5) attached hereto and incorporated into the Minutes by reference.

The Chair thanked the conferees for their presentation then asked the Committee for questions or comments. Senators Barnett, Wagle, Harrington, Salmans, Steineger, and Barnett asked a range of questions from: how do we involve geneticists with a state with no money, the availability of federal money, future coop agreements (what does Kansas need to do to join), sharing information for a common good, is this similar to the Alzheimer's organization, what software programs work and don't work, are private foundations funding, pilot studies, Kansas poor track record on computer projects, to a comment of so much data already made available.

### **Adjournment**

As it was going on 2:30 p.m., the Chair concluded the meeting by again thanking Mr. Edmonds and Mr. Hess for traveling to Kansas and sharing their information with the Committee. Adjournment time was 2:30 p.m.

The next meeting is scheduled for February 6, 2003.

CONTINUATION SHEET